

NAIROBI STATEMENT

ADOPTED AT THE CHIEF JUSTICES NEEDS ASSESSMENT AND PLANNING MEETING, NAIROBI 10-11 OCTOBER 2003

Honourable Chief Justices and senior judges from Eritrea, Ethiopia, Ghana, Kenya, Liberia, Nigeria, Sierra Leone, Tanzania, The Gambia and Uganda met in Nairobi, Kenya on 10- 11 October 2003 at the UNEP Chief Justices Meeting of East and West African Countries under the chairmanship of the Honourable Chief Justice of the Republic of Kenya, Hon. Justice Johnson Evan Gicheru. The purpose of the meeting was to develop national, sub-regional and regional programmes of work for the implementation of the outcome of the UNEP Global Judges Symposium, within the framework of UNEP Governing Council decision 22/17(II(A)).

The Honourable Justices discussed ~~of~~ the capacity building requirements of judicial officers of their respective countries for promoting the Rule of Law in the area of environment and sustainable development, and how these efforts could be further enhanced through regional and sub-regional cooperation. At the conclusion of the two day meeting the Chief Justices

and Judges unanimously adopted the following conclusions and recommendations.

1. They endorsed the Johannesburg Principles on the Role of Law and Sustainable Development adopted at the UNEP Global Judges Symposium held in Johannesburg on 18-20 August 2002, which were presented to the World Summit on Sustainable Development as a contribution to the deliberations at the WSSD.
2. They reaffirmed once again their conviction expressed by the Judges at the Global Judges Symposium that
 - i. the Judiciary, well informed of the rapidly expanding boundaries of environmental law and aware of its role and responsibilities in promoting the implementation, development and enforcement of laws, regulations and international agreements relating to sustainable development, plays a critical role in the enhancement of the public interest in a healthy and secure environment,

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- ii the deficiency in the knowledge, relevant skills and information in regard to environmental law is one of the principal causes that contribute to the lack of effective implementation, development and enforcement of environmental law,
- iii there is an urgent need to strengthen the capacity of judges, prosecutors, legislators and all persons who play a critical role at national level in the process of implementation, development and enforcement of environmental law, including multilateral environmental agreements (MEAs), especially through the judicial process,

They expressed their deep appreciation to the Executive Director of UNEP for the several measures that he has taken to implement the outcome of the UNEP Global Judges Symposium within the framework of Governing Council decision 22/17/II(A). They also commended UNEP for convening the meeting of Chief Justices and Senior Judges of East^{ern} and West^{ern} Africa for the purposes of assessing the specific capacity building needs of each country, and for developing needs-responsive, practical and effective plans

of activities for strengthening the capacity of judges and to carry out their judicial functions in the area of environment and development.

called upon the Executive Director of UNEP to expeditiously implement the national, sub regional and regional plans of work that they have developed during the meeting to enable judiciaries in their respective countries to contribute effectively to the development, implementation and enforcement of environmental law, and thereby contribute towards the realisation of the goals of environmental protection, sustainable use of natural resources and environmentally sustainable development.

recommendations prepared by the Chief Justices and other senior Judges in respect of each of their countries as well as for sub-regional and regional cooperation are attached hereto, and will constitute to an integral part of this Statement.

The participants expressed their deep appreciation to the Honourable Chief Justice of the Republic of Kenya, Hon. Justice J. E. Gicheru for so effectively guiding the deliberations as the Chair of the meeting and to UNEP for the excellent arrangements made for the meeting.